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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,129	12/29/2000	Russell E. Henning	INTL-0501-US (P10387)	9172

21906 7590 03/20/2006

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EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/751,129	HENNING, RUSSELL E.	
	Examiner	Art Unit	
	Andy S. Rao	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. As per the instructions filed on 2/27/06, claims 1-9 and 19-33 are canceled.
2. The indicated allowability of claims 10-18 as indicated by the Decision of 1/24/06 is withdrawn in view of the newly discovered reference(s) to Talluri et al., (US Patent: 6,111,916 hereinafter referred to as "Talluri" and Dean et al., (US Patent: 6,498,809 hereinafter referred to as "Dean"). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sun et al., (hereinafter referred to as "Sun") in view of Talluri et al., (hereinafter referred to as "Talluri") and in view of Dean et al., (hereinafter referred to as "Dean").

Sun discloses a processor containing instructions that enable the processor to comprising: receive a video stream having at least a first type of frame (Sun: column 7, lines 50-65; column 9, lines 45-56) and a second type of frame (Sun: column 10, lines 5-10), and processing the first type of frame using first error resilience technique (Sun: column 10, lines 46-61: error resilience technique for LP data) and the second type of frame using a second error resiliency techniques (Sun: column 10, lines 61-67; column 11, lines 1-7: error resilience technique for HP data), as in

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claim 10. However, Sun fails to disclose that the first technique discloses the further use of resynchronization markers at a first interval and the second technique discloses the further use of resynchronization markers using a differing interval than the first interval wherein the second error resilience technique replaces a bit pattern for the second type of frame with a bit pattern of shorter length and that the instructions are contained on a machine readable storage media as in claim 10. Talluri discloses a method of inserting resynchronization markers at a first interval (Talluri: column 2, lines 50-65; column 9, lines 30-45): slice resynchronization marker inserted at slice intervals), and resynchronization markers a second interval different than the first interval (Talluri: column 3, lines 5-36; column 9, lines 30-45: motion resynchronization markers occurring at the interval as in figure 1) wherein the second error resilience technique replaces a bit pattern for the second type of frame with a bit pattern of a shorter length (Talluri: column 3, lines 50-56: replacement with a run of zeroes) in order to process video with uncorrectable errors such that all of the data of the video with the uncorrectable errors doesn't need to be discarded so that partial recovery in the video packet is possible (Talluri: column 2, lines 1-5). Accordingly, given this teaching it would have been obvious for one of ordinary skill in the art to incorporate Talluri's dual interval insertion of resynchronization markers into the Sun processor executing instructions in order to process video with uncorrectable errors such that all of the data of the video with the uncorrectable errors doesn't need to be discarded so that partial recovery in the video packet is possible. The Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion, has a majority of the features of claim 10, but fails to explicitly disclose that the instructions are stored on machine readable media, as in the claim. Dean discloses a video error resilient transcoding method including resynchronization marker

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insertion and checking (Dean: column 3, lines 2-32) on a machine readable medium (Dean: column 3, lines 45-57; column 4, lines 25-31) in order to provide error resilience processing over a distributed network (Dean: column 3, lines 35-44). Accordingly, given this teaching, it would have been obvious for one of ordinary skill in the art to examine the Dean teaching of implementing a resynchronization marker insertion and checking method on a machine readable medium and apply it to the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion, so that the Sun-Talluri combination would be implemented on a machine readable medium in order to have the Sun-Talluri combination process video over a distributed network. The Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has all of the features of claim 10.

Regarding claim 11, the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has the first error resilience technique to process a P frame (Sun: column 10, lines 35-45).

Regarding claims 12-13, the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has the second error resilience technique to process a B frame (Sun: column 10, lines 35-45), as in the claims.

Regarding claim 14, the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has inserting the resynchronization markers at differing intervals (Talluri: column 2, lines 50-65; column 3, lines 5-36; column 9, lines 30-45: slice resynchronization marker inserted at

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slice intervals and motion resynchronization markers occurring at the interval as in figure 1), as in the claims.

Regarding claim 15, the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has the first error concealment technique is different from the second error concealment technique (Sun: column 12, lines 1-40), as in the claim.

Regarding claim 16, the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has inserting fewer error resilience bits into the video stream for the B-type frame than for the P-type frame (Sun: column 4, lines 1-30), as in the claim.

Regarding claim 17, the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has variable length encoding (Sun: column 7, lines 15-30), as in the claim.

Regarding claim 18, the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has applying resynchronization markers to the video for B frames (Webb: column 10, lines 35-45), as in the claim.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dufour discloses a resynchronization method for decoding video. Wen discloses a

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video codec method in error resilient mode and apparatus. Brailean discloses a method and device for control and compatible delivery of digitally compressed visual data.\

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

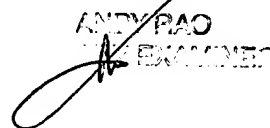
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

asr
March 7, 2006

Andy S. Rao
Primary Examiner
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